

TEMPORARY

AMENDED

ASSIGNED
58159 T

Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 2 - 1992

Returned to applicant for correction _____

Corrected application filed OCT 22 1992 Map filed OCT 22 1992

The applicant FMG, Inc.

P.O. Box 220 _____ of Golconda
Street and No. or P.O. Box No. City or Town

Nevada 89414 _____ hereby make^s application for permission to change the
State and Zip Code No.

point of diversion (temporary), manner of use, and place of use

of water heretofore appropriated under Permit 10370 certificate number 2758
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.222 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, dewatering
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining and milling
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T.39N, R.42E; or at
Describe as being within a 40-acre subdivision of public survey and by course and
a point from which the SW corner of said Section 33 bears S 45°59'49"W 3120.26 ft
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township
If point of diversion is not changed, do not answer.
39N, Range 42E, M.D.B.&M., or at a point from which the N.W. corner of said
Section 33 bears N. 27°56'W., 1,915 feet.

7. Proposed place of use Within sections 21, 22, 23, 26, 27, 28, 29, 32, 33, 34 in
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
T39N, R42E; and within sections 3, 4, 9, 10 in T38N R42E M.D.B.&M.

8. Existing place of use a mill (no longer existing) in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T39N,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
R42E M.D.B.&M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) drill 700 foot well, case, and install
State manner in which water is to be diverted, i.e. diversion structure,
pump and piping.
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works: \$95,000.00

13. Estimated time required to construct works: 3 weeks

14. Estimated time required to complete the application of water to beneficial use.....(temporary change)

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The estimated consumption of water pumped from the point of diversion is
52.56 million gallons per annum.

By s/ John Barta
P.O. Box 220
Golconda, NV 89414
Compared ap/ se ap/se
Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 10370, Certificate 2758 is issued subject to the terms and conditions imposed in said Permit 10370, Certificate 2758 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 10370, Certificate 2758; 28758, 28759, 45730, 45731, 45732, 49815, 51990, 52476, 53015, 53030 and 58159-T shall not exceed 758 million gallons annually.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.222 cubic feet per second, but not to exceed 52 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before
Proof of completion of work shall be filed before
Application of water to beneficial use shall be made on or before
Proof of the application of water to beneficial use shall be filed on or before
Map in support of proof of beneficial use shall be filed on or before

TEMPORARY

Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 25th day of January
A.D. 1993
State Engineer

EXPIRED
DATE JAN 24 1994

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on January 24, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

